

(92)

## UNITED STATES DISTRICT COURT

## FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

1 : CV01-1220

CLYDE M. FERGUSON  
(Plaintiff)v. **COPY**  
Robert A. Raiger, Warden  
Robert J. Karnes, Captain of Security  
(Defendants)AFFIDAVIT/DECLARATION  
IN SUPPORT OF REQUEST  
TO PROCEED  
IN FORMA PAUPERISRECEIVED  
SCRANTON  
APR 6 2000  
PER \_\_\_\_\_  
DEPUTY CLERKFILED  
SCRANTON

JUN 29 2001

I, CLYDE M. FERGUSON, certify that I am the plaintiff in the above entitled case, ~~DEPUTY CLERK~~, in support of my motion to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to redress.

I further state that the responses which I have made to questions and instructions below are true and correct.

1. Are you presently employed? Yes        No x      

a. If the answer is yes, state the amount of your salary or wages per month, and give the name and address of your employer.

b. If the answer is no, state the date of last employment and the amount of the salary and wages per month which you received.

March 14, 2000 – 7.50 per hour (\$1,200 gross per month)

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or form of self-employment? Yes        No x      

b. Rent payments, interest or dividends? Yes        No x      

c. Pensions, annuities or life insurance payments? Yes        No x      

d. Gifts or inheritances? Yes        No x      

e. Any other sources? Yes        No x

If the answer to any of the above is yes, describe each source of money and state the amount received from each during the past twelve months.

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3. Do you own any cash, or do you have money in a checking or savings account?

Yes \_\_\_\_\_ No  (Include any funds in prison accounts.)

If the answer is yes, state the amount of cash or the present balance in any account.

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4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property, excluding ordinary household furnishings and clothing? Yes \_\_\_\_\_ No

If the answer is yes, describe the property and state its approximate value.

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5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

Children:	Taren Weadon	Son	(Pending domestic relation hearing 3/28/00)
	Marcel Ferguson	Son	(80.00 a week)
	Derrick Ferguson	Son	(50.00 a week)
	Crystal Hills	Daughter	(Pending domestic relation hearing)

I understand that a false statement or answer to any questions in this affidavit/unsworn declaration will subject me to penalties for perjury.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

1/1/00

Date

Clyde M. Ferguson

Signature of Plaintiff

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I request that the courts investigate this matter for negligence, in the sense that Captain Karnes had a responsibility, as the person designated to maintain the security of the prison, to investigate my request that my life was being threatened. The Warden had a responsibility to, at least review the request I sent him regarding the complaint of negligence. Both of these defendants neglected to fulfill their responsibility as prison officials, to protect the civil rights of all inmates.

It is my request that the court find that the defendants were negligent in their duties as a prison official.

Signed this 1 day of April, 2000.

Clyde M Ferguson  
(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

3/1/00  
(Date)

Clyde M Ferguson  
(Signature of Plaintiff)